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| Notice of Allowability | Application No. | Applicant(s) |
| | 10/075,488 | TUFT, BRIAN N. |
| | Examiner Ismael Negron | Art Unit 2875 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to After Final Amendment filed May 11, 2004.
2. The allowed claim(s) is/are 1,3-10,12-14,16,17,21-23,25 and 27-37.
3. The drawings filed on 02 February 2002 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 20030509, 20030818
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on May 11, 2004 has been entered. Claims 1, 3-10, 12, 13, 16, 17, 21-23 and 25 have been amended. Claims 11, 15, 18-20 and 26 have been cancelled. Claims 28-37 have been added. Claims 1, 3-10, 12-14, 16, 17, 21-23, 25 and 27-37 are still pending in this application, with claims 1, 12, 23, 27, 30 and 37 being independent.

Allowable Subject Matter

2. Claims 1, 3-10, 12-14, 16, 17, 21-23, 25 and 27-37 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Applicant teaches a lighting apparatus for receiving an elongated light source, such apparatus including an elongated body having a cavity for receiving the light source, the cavity being at least partially defined by an at least partially transparent material. The at least partially transparent material extending from the cavity to an outer surface of the elongated body. The cavity is also formed by a second substantially non-transparent material. The elongated body includes a removable portion that includes the cavity, the removable portion being adapted to be selectively removable from the elongated body for providing access to the cavity.

No prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically the elongated body including a

removable portion that includes the cavity, the removable portion being adapted to be selectively removable from the elongated body for providing access to the cavity.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you

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have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.

~~SMR~~
Inr


THOMAS M. SEMBER
PRIMARY EXAMINER

June 6, 2004